

Honorable Judge Benjamin Settle

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

CLYDE RAY SPENCER,)
Plaintiff,) No. C11-5424BHS
v.)
DETECTIVE SHARON KRAUSE, and)
SERGEANT MICHAEL DAVIDSON,)
Defendants.)
)
DECLARATION OF
KATHLEEN T. ZELLNER IN
SUPPORT OF PLAINTIFF'S
MOTIONS IN LIMINE

Pursuant to 28 U.S.C. § 1746, Kathleen T. Zellner declares under penalty of perjury under the laws of the State of Washington and the United States of America that the following is true and accurate:

1) I am the attorney of record for Plaintiff Clyde Ray Spencer in the above-entitled action. I am competent to testify in all respects, and make this declaration from personal knowledge.

2) Attached to this Declaration as Exhibit A is a true and correct copy of an excerpt of Defendant Davidson's expert disclosure, which was tendered by the defense to Plaintiff's counsel on October 9, 2012.

DECLARATION OF KATHLEEN T. ZELLNER IN SUPPORT
OF PLAINTIFF'S MOTIONS IN LIMINE (C11-5424BHS) — 1

3) Attached to this Declaration as Exhibit B is a true and correct copy of an excerpt from Defendant's pretrial statement, tendered by the defense to Plaintiff's counsel on December 1, 2013.

4) Attached to this Declaration as Exhibit C is a true and correct copy of an excerpt from Dr. Esplin's report, summarizing his opinions in this case, which was tendered by the defense to Plaintiff's counsel on October 9, 2012.

5) Attached to this Declaration as Exhibit D is Defendant Krause's and Defendant Davidson's joint initial disclosure pursuant to Fed.R.Civ.P. 26(a)(1), which was tendered by the defense to Plaintiff's counsel on September 29, 2011.

SIGNED this 2nd day of December, 2013 in Downers Grove, Illinois.

Respectfully submitted,

/s/ Kathleen T. Zellner

Kathleen T. Zellner & Associates, P.C.
Admitted *pro hac vice*
1901 Butterfield Road
Suite 650
Downers Grove, Illinois 60515
Phone: (630) 955-1212
Fax: (630) 955-1111
kathleen.zellner@gmial.com
Attorney for Plaintiffs

DECLARATION OF SERVICE

I hereby certify that on December 2, 2013, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF System, which will send notification of such filing to the attorneys of record as follows:

Guy Bogdanoich Law, Lyman, Daniel, Kamerrer & Bogdanovich, P.S. P.O. Box 11880 Olympia, WA 98508-1880 Email: gbogdanovich@lldkb.com Attorney for Defendant Sharon Krause	Jeffrey A. O. Freimund Freimund Jackson Tardif & Benedict Garratt, PLLC 711 Capitol Way South, Suite 602 Olympia, WA 98502 Email: jeffF@fjtlaw.com Attorneys for Defendant Michael Davidson
--	---

/s/ Kathleen T. Zellner

Kathleen T. Zellner & Associates, P.C.
Admitted *pro hac vice*
1901 Butterfield Road
Suite 650
Downers Grove, Illinois 60515
Phone: (630) 955-1212
Fax: (630) 955-1111
kathleen.zellner@gmial.com
Attorney for Plaintiffs